

Amendment/Reply

Applicant: Robert F. Sheppard

Serial No.: 10/763,072

Filed: January 21, 2004

Docket No.: 200901410-1

Title: MANAGING INFORMATION TECHNOLOGY (IT) INFRASTRUCTURE OF AN ENTERPRISE
USING A CENTRALIZED LOGISTICS AND MANAGEMENT (CLAM) TOOL

REMARKS

The following remarks are made in response to the Office Action mailed March 30, 2010. Claims 1-14 and 16-30 were rejected. With this Amendment/Reply, claims 1, 5-8, 10, 11, and 17-30 have been amended. Claims 1-14 and 16-30 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 101

The Examiner rejected claims 17-30 under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Applicant has amended claims 17-30 to include the language suggested by the Examiner.

In view of the above, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 101 rejection to the claims.

Claim Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1-31 under 35 U.S.C. § 103(a) as being unpatentable over the Ann U.S. Patent Application Publication No. 2002/0198727 (“Ann”) in view of the Northcutt U.S. Patent Application Publication No. 2003/0126001 (“Northcutt”).

Ann is directed to a system and method of modeling an enterprise and its objectives and its information technology system into a single enterprise framework so that the effect of changes in one can be seen as impacting the other.

Applicant respectfully submits that Ann fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a capture phase, assign first items of IT infrastructure to a first role within the enterprise and assign second items of IT infrastructure to a second role within the enterprise, wherein the second items include one or more items of IT infrastructure not included in the first items, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Ann, the IT architecture

Amendment/Reply

Applicant: Robert F. Sheppard

Serial No.: 10/763,072

Filed: January 21, 2004

Docket No.: 200901410-1

Title: MANAGING INFORMATION TECHNOLOGY (IT) INFRASTRUCTURE OF AN ENTERPRISE
USING A CENTRALIZED LOGISTICS AND MANAGEMENT (CLAM) TOOL

includes application software which supports user groups. Also, organization units have roles and responsibilities which relate to processes that are enablers for capabilities. These roles and responsibilities are only generally connected to the user groups and the application software is not assigned to roles and responsibilities.

Ann also fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a capture phase, assign the first role to first employees of the enterprise, which assigns the first items of IT infrastructure to the first employees of the enterprise, and assign the second role to second employees of the enterprise, which assigns the second items of IT infrastructure to the second employees of the enterprise, wherein the second employees include one or more employees of the enterprise not included in the first employees, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In Ann, the organization section includes the roles and responsibilities of members of the organization. Also, the IT architecture includes application software which supports user groups. However, the roles and responsibilities are only generally connected to the user groups and the roles and responsibilities do not assign application software to employees.

Ann also fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a modeling phase, model a change in the first items of IT infrastructure assigned to the first employees of the enterprise, and model a change in the second items of IT infrastructure assigned to the second employees of the enterprise, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Ann, the application software supports user groups. The application software is not assigned to employees.

Ann also fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a deployment phase, automatically initiate deployment of the change in the first items of IT infrastructure assigned to the first employees of the enterprise, and automatically initiate deployment of the

Amendment/Reply

Applicant: Robert F. Sheppard

Serial No.: 10/763,072

Filed: January 21, 2004

Docket No.: 200901410-1

Title: MANAGING INFORMATION TECHNOLOGY (IT) INFRASTRUCTURE OF AN ENTERPRISE
USING A CENTRALIZED LOGISTICS AND MANAGEMENT (CLAM) TOOL

change in the second items of IT infrastructure assigned to the second employees of the enterprise, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17.

In the Response to Arguments of the Final Office Action dated March 30, 2010, the Examiner argues that Ann discloses an example of deploying a change in IT infrastructure by putting a printed catalog on the Internet and becoming an “e-tailer”, which changes the model of Ann.

In Ann, the example includes putting a printed catalog on the Internet and becoming an e-tailer, which is a decision in a business framework that influences its capabilities and its application software, among other things. This same business might have made a decision instead to have a presence on the web, changing its IT architecture with the additional applications and functions to support a web presence, where from this change in its IT architecture, its capabilities and its business architecture may also change. This example shows that a change in a business framework may influence a change in an information technology framework, and vice versa. This example does not teach or suggest automatically initiating deployment of a change in first items of IT infrastructure assigned to first employees, and automatically initiating deployment of a change in second items of IT infrastructure assigned to second employees.

Also, in the Response to Arguments of the Final Office Action dated March 30, 2010, the Examiner directs Applicant to events as described in paragraph [0043].

In Ann, these events trigger or initiate processes and may be internal events or external events. In any of these circumstances, the event causes a process to be implemented which may use application software and/or data from the IT architecture section. These events are not described as automatically initiating deployment of a change in first items of IT infrastructure assigned to first employees, and automatically initiating deployment of a change in second items of IT infrastructure assigned to second employees.

The Examiner further relies on Northcutt in the obviousness rejection. Northcutt is directed to a system and method for managing the workflow of request for services from a department within an organization. A request for service input module enables one or more requesting members of the organization to input information for a request for service from the

Amendment/Reply

Applicant: Robert F. Sheppard

Serial No.: 10/763,072

Filed: January 21, 2004

Docket No.: 200901410-1

Title: MANAGING INFORMATION TECHNOLOGY (IT) INFRASTRUCTURE OF AN ENTERPRISE
USING A CENTRALIZED LOGISTICS AND MANAGEMENT (CLAM) TOOL

department by connecting to the system over a network. A database system stores information regarding the requests for service received by the request for service input module. A change of status input module enables a service provider participant from the department to update the status of a request by connecting to the system over a network. A signoff module enables a service provider participant and a requesting member to signoff a requested service, the participant and requesting member connecting to the system over a network.

Applicant submits that Northcutt fails to teach or suggest at least one electronic computing device configured to execute a centralized logistics and management (CLAM) tool operable to, in a deployment phase, automatically initiate deployment of the change in the first items of IT infrastructure assigned to the first employees of the enterprise, and automatically initiate deployment of the change in the second items of IT infrastructure assigned to the second employees of the enterprise, as recited in amended independent claim 1, and as recited in a variant thereof in amended independent claim 17. In contrast, in Northcutt, the system is for managing the workflow of requests for services, where the requests for services are manually input, responded to, and tracked. A request for service input module enables one or more requesting members of the organization to input information for a request for service from a department by connecting to the system over a network and the change of status input module enables a service provider participant from the department to update the status of a request for service by connecting to the system over a network. Combining this manual management and tracking system with Ann does not result in automatically initiating deployment of a change in first items of IT infrastructure and automatically initiating deployment of a change in second items of IT infrastructure.

In the Response to Arguments of the Final Office Action dated March 30, 2010, the Examiner states that one of ordinary skill in the art would have understood, and it is well known in the art at the time the invention was made, to automate processes. Applicant requests that the Examiner provide a reference that shows automatically initiating deployment of a change in first items of IT infrastructure assigned to first employees, and automatically initiating deployment of a change in second items of IT infrastructure assigned to second employees.

Amendment/Reply

Applicant: Robert F. Sheppard

Serial No.: 10/763,072

Filed: January 21, 2004

Docket No.: 200901410-1

Title: MANAGING INFORMATION TECHNOLOGY (IT) INFRASTRUCTURE OF AN ENTERPRISE
USING A CENTRALIZED LOGISTICS AND MANAGEMENT (CLAM) TOOL

In view of the above, Applicant submits that all features of amended independent claim 1 and all features of amended independent claim 17 are not taught or suggested by Ann and/or Northcutt, alone or in combination. Applicant respectfully requests that the above rejection under 35 U.S.C. § 103 be withdrawn and amended independent claims 1 and 17 be allowed.

Dependent claims 5-8, 10, 11 and 18-30 have been amended for antecedent basis and to clarify the claims. As dependent claims 2-14 and 16 further define patentably distinct amended independent claim 1, and dependent claims 18-30 further define patentably distinct amended independent claim 17, these dependent claims are also believed to be allowable over the art of record. Therefore, Applicant respectfully requests that the above rejections to the dependent claims be withdrawn and these claims be allowed.

Amendment/Reply

Applicant: Robert F. Sheppard

Serial No.: 10/763,072

Filed: January 21, 2004

Docket No.: 200901410-1

Title: MANAGING INFORMATION TECHNOLOGY (IT) INFRASTRUCTURE OF AN ENTERPRISE
USING A CENTRALIZED LOGISTICS AND MANAGEMENT (CLAM) TOOL

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-14 and 16-30 are in form for allowance and are not taught or suggested by the cited references.

Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-14 and 16-30 is respectfully requested.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment/Reply should be directed to Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005.

Respectfully submitted,

Robert F. Sheppard

By his attorneys,

DICKE, BILLIG & CZAJA, PLLC

Fifth Street Towers, Suite 2250

100 South Fifth Street

Minneapolis, MN 55402

Telephone: (612) 573-2000

Facsimile: (612) 573-2005

Date: June 28, 2010

PGB:cjs

/Patrick G. Billig/

Patrick G. Billig

Reg. No. 38,080